

DATE

Andrea Bryant  
121 Milford Drive  
Minden, LA 71055

**Re: Docket No. 2021-902  
Advisory Opinion**

Dear Ms. Bryant:

The Louisiana Board of Ethics, at its meeting on May 6, 2022, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code"), in your capacity as a Child Welfare Supervisor in the Foster Care Program for the Department of Children and Family Services, would prohibit you from working part-time with Guardian Angels Place, LLC.

#### **FACTS PROVIDED**

You are currently employed with the Department of Children and Family Services ("DCFS") as a Child Welfare Supervisor in the Foster Care Program. As a Child Welfare Supervisor, you supervise a unit of foster care caseworkers who service parents and caretakers of children in the custody of DCFS. You ensure caseworkers develop case plans that address safety, substance abuse, mental health, and other concerns that brought the families to the attention of DCFS. You do not certify foster homes, as that task falls on the DCFS Home Development Unit staff.

You would like to work part-time for Guardian Angels Place, LLC when you are not working for DCFS. Guardian Angels Place operates to certify foster homes for children who are in the custody of DCFS, Office of Juvenile Justice, homeless children, and/or children exposed to sex trafficking. Your job with Guardian Angels Place would be to review and approve the home studies of potential caretakers.

Karla Venkataraman, Deputy Assistant Secretary for DCFS, provided that Guardian Angels Place, LLC would contract through the DCFS Child Welfare Division, the Division in which you are employed. Further, Ms. Venkataraman indicated that through your employment as a Child Welfare Supervisor it is possible that you could direct children for placement with Guardian Angels Place, LLC.

#### **LAW**

**La. R.S. 42:1111C(2)(d)** prohibits a public servant and any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, from receiving any thing of economic value for services rendered from a person who: (1) has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency; (2) conducts operations or activities which are regulated by the public employee's agency; or (3) has substantial

economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

**La. R.S. 42:1102(2)(a)(i)** defines "agency" to mean a department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity. "Agency of the public servant" and "his agency" when used in reference to the agency of a public servant shall mean for public servants in the twenty principal departments of the executive branch of state government, the office in which such public servant carries out his primary responsibilities.

**La. R.S. 42:1102(18)(a)** defines "public employee" to mean any person, whether compensated or not who is: (iii) engaged in the performance of a governmental function; (iv) under the supervision or authority of an elected official or another employee of the governmental entity.

**La. R.S. 42:1102(19)** defines "public servant" to mean a public employee or elected official.

### ANALYSIS

As a Child Welfare Supervisor in the Foster Care Program for the Child Welfare Division, Department of Children and Family Services, you are a public employee under La. R.S. 42:1102(18)(a). Accordingly, you are a public servant pursuant to La. R.S. 42:1102(19). The DCFS Child Welfare Division is your agency pursuant to La. R.S. 42:1102(2)(a)(i).

Based on the information provided, your work with Guardian Angels Place in certifying foster homes is not the same as your duties supervising caseworkers for DCFS. However, because your agency is the Child Welfare Division and Guardian Angels Place would be contracting through your agency and you could direct that children be placed with Guardian Angels Place, La. R.S. 42:1111C(2)(d) would be prohibit you from being employed by Guardian Angels Place.

### CONCLUSION

The Board concluded, and instructed me to inform you, that La. R.S. 42:1111C(2)(d) prohibits you from working for Guardian Angels Place LLC, since it contracts with your agency, and you can place children at Guardian Angels Place.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

---

Gregory L. Thibodeaux  
For the Board